

**MINUTES OF THE  
SOCIAL SERVICES APPROPRIATIONS SUBCOMMITTEE**

Wednesday, October 18, 2017 • 8:30 a.m. • 30 House Building

**Members Present:**

Sen. Allen M. Christensen, Senate Chair  
Rep. Paul Ray, House Chair  
Rep. Raymond P. Ward, House Vice Chair  
Sen. Luz Escamilla  
Sen. Daniel Hemmert  
Sen. Brian E. Shiozawa  
Sen. Kevin T. Van Tassell  
Sen. Todd Weiler  
Rep. Rebecca Chavez-Houck  
Rep. Timothy D. Hawkes  
Rep. Sandra Hollins

Rep. Michael S. Kennedy  
Rep. Edward H. Redd  
Rep. Norman K. Thurston

**Members Absent:**

President Wayne L. Niederhauser  
Rep. Rebecca P. Edwards

**Staff Present:**

Ms. Alysha S. Gardner, Staff Economist  
Mr. Russell T. Frandsen, Fiscal Analyst  
Ms. Clare Tobin Lence, Fiscal Analyst  
Ms. Linda Service, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

**1. Call to Order**

Chair Christensen called the meeting to order at 8:46 a.m.

**2. Approval of Minutes**

**MOTION:** Sen. Weiler moved to approve the minutes of the September 19, 2017 a.m. and September 19, 2017 p.m. meetings. The motion passed with a vote of 12-0-4.

Yeas-12

Rep. R. Chavez-Houck  
Sen. A. Christensen  
Rep. T. Hawkes  
Sen. D. Hemmert  
Rep. S. Hollins  
Rep. M. Kennedy  
Rep. P. Ray  
Rep. E. Redd  
Rep. N. Thurston  
Sen. K. Van Tassell  
Rep. R. Ward  
Sen. T. Weiler

Nays-0

Absent-4

Rep. R. Edwards  
Sen. L. Escamilla  
Sen. W. Niederhauser  
Sen. B. Shiozawa

**3. Public Input on Topics on Today's Agenda**

There was no public input for topics on today's agenda.

**4. Request for Appropriation - Alzheimer State Plan**

4a-Alzheimer State Plan - Social Services Appropriations Committee Presentation - October 2017

4b-Alzheimer State Plan - Legislative Budget Request 2018

Mr. Ronnie Daniel, Executive Director, Alzheimer's Association, discussed the rationale for appropriation requests.

Mr. Daniel responded to questions from Rep. Thurston and Rep. Hawkes with regard to funding, along with a question from Rep. Kennedy relating to the term "care giver" and a question from Rep. Chavez-Houck concerning minority populations.

#### **5. Medicaid Client Access to Dental Care Under Managed Care Contracts**

5-LFA Report - Dental Access - October 2017

Mr. Russell Frandsen, Fiscal Analyst, LFA, discussed the report.

Ms. Emma Chacon, Operation Director, Department of Health, responded to a question from Chair Christensen with regard to proximity of providers to clients, along with questions from Rep. Thurston.

#### **6. Study of Trends in Clients Costing \$50,000 to \$100,000 in Medicaid**

Ms. Chacon discussed the study of trends in client costs and responded to questions from Rep. Redd and Sen. Van Tassell related to early intervention.

Rep. Thurston recognized Molina Health Care.

Rep. Ward asked for clarification with regard to reimbursing providers for telehealth communications.

#### **7. PEHP - Medicaid Restrictions on Opioid Supply**

7-Report to LFA Regarding PEHP Opioid Intervention

Ms. Chacon discussed opioid addiction intervention and responded to questions from Rep. Ward requesting information on over-prescribing of opioids.

Mr. Frandsen summarized changes PEHP has made and provided a possible motion.

**MOTION:** Rep. Ward moved that The Department of Health shall report to the Social Services Appropriations Subcommittee by July 1, 2018 on the status of implementing each change taken by the Public Employees Health Plan for opioid interventions and not already fully addressed in the October 2017 report. The motion passed with a vote of 11-0-5.

Yeas-11

Nays-0

Absent-5

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Rep. R. Chavez-Houck  
Sen. A. Christensen  
Sen. L. Escamilla  
Rep. S. Hollins  
Rep. M. Kennedy  
Rep. E. Redd  
Sen. B. Shiozawa  
Rep. N. Thurston  
Sen. K. Van Tassell  
Rep. R. Ward  
Sen. T. Weiler

Rep. R. Edwards  
Rep. T. Hawkes  
Sen. D. Hemmert  
Sen. W. Niederhauser  
Rep. P. Ray

### **8. The Medicaid Claims Payment System**

This agenda item was not discussed.

### **9. Follow-Up Action on Budget Deep Dives from June, July, and September 2017 Meetings -**

9b-Issue Brief - 2017 Interim - Budget Deep-Dive into Medicaid Reimbursement Rates - October 2017

Mr. Frandsen discussed the handout titled "Budget Deep-Dive into Medicaid Reimbursement Rates," and presented motions from the report.

Rep. Chavez-Houck asked for clarification on the motions.

**MOTION:** Chair Christensen moved to accept staff recommendations #1, 3, 4, 7, and 8 from the Issue Brief titled "Budget Deep-Dive into Medicaid Reimbursement Rates" dated September 18, 2017, 10:49 a.m. The motion passed with a vote of 10-0-6.

#### Yeas-10

Rep. R. Chavez-Houck  
Sen. A. Christensen  
Sen. L. Escamilla  
Rep. S. Hollins  
Rep. M. Kennedy  
Rep. E. Redd  
Sen. B. Shiozawa  
Rep. N. Thurston  
Sen. K. Van Tassell

#### Nays-0

#### Absent-6

Rep. R. Edwards  
Rep. T. Hawkes  
Sen. D. Hemmert  
Sen. W. Niederhauser  
Rep. P. Ray  
Rep. R. Ward

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Sen. T. Weiler

9a-Budget Deep-Dive Potential Motions - June and July 2017 - October 2017

Ms. Clare Tobin Lence, Fiscal Analyst, LFA, discussed the handout titled "Budget Deep-Dive Potential Motions June and July 2017," and in addition, presented motions for the Department of Human Services.

Rep. Redd asked for clarification on the motions.

**MOTION:** Sen. Van Tassell moved to: 1. Direct the Department of Human Services and Department of Health, with the Wasatch and Box Elder/Cache/Rich Local Substance Abuse Authorities (LSAAs), to explore moving from fee-for-service to a capitated payment for SUD treatment provided through Medicaid and to assess the potential associated costs or savings, and report the results to the Legislative Fiscal Analyst (LFA) by January 1, 2018. 2. Require LSAAs to provide greater expenditure detail in their financial reports to DSAMH, including whether personnel provide administrative or direct care functions, and direct the Department of Human Services to report to LFA on the status by September 30, 2018. 3. Monitor key performance measures of legislative interest before providing new funding and direct the Department of Human Services and other entities to discuss recent performance measure results in conjunction with any requests for new legislative funding, effective for the 2018 General Session. The motion passed with a vote of 12-0-4.

Yeas-12

Rep. R. Chavez-Houck

Sen. A. Christensen

Sen. L. Escamilla

Sen. D. Hemmert

Rep. S. Hollins

Rep. M. Kennedy

Rep. P. Ray

Rep. E. Redd

Sen. B. Shiozawa

Rep. N. Thurston

Sen. K. Van Tassell

Sen. T. Weiler

Nays-0

Absent-4

Rep. R. Edwards

Rep. T. Hawkes

Sen. W. Niederhauser

Rep. R. Ward

Ms. Lence provided motions for the Budget Deep-Dive into the Foster Care System.

**MOTION:** Rep. Ray moved to request that the Division of Child and Family Services (DCFS) report on the status of each recommendation to the Legislative Fiscal Analyst by January 1, 2018: 1. Request that DCFS improve data tracking in the following areas, in order to better assess system adequacy

at matching children in custody with foster families and to more precisely target recruitment and retention efforts: a. Identify and document the level of assessed need for each child in custody, even though actual placement may vary based on the needs of siblings in custody, geography, family availability, and other factors, as well as the actual placement and reasons for deviation; and b. Identify and document the level of care that each foster family is qualified for, whether they are kinship or not, and whether they are available to take a placement, in a way that can be easily searched and compared to the assessed needs of children in custody. 2. Request that DCFS evaluate the proctor care system, including: a. Determine whether private proctor care is cost-effective; and b. Determining the extent to which children in custody are placed in proctor care due only to insufficient availability of lower level foster families. 3. Request that DCFS take the following actions related to Utah Foster Care (UFC): a. Consider whether to increase the recruitment and retention targets, given that recruitment targets were lowered in the past but UFC has consistently exceeded them and that the target appears lower than the average rate of families exiting the system; and b. Compare the employee compensation and overhead costs of UFC to those of DCFS and consider whether contracting for recruitment and retention services is cost-effective. 4. Request that DCFS provide the following information related to their federal Social Security Title IV-E waiver, which is used to provide in-home services: a Provide their detailed budget plan for service continuity and maintaining the emphasis on in-home care when the waiver expires; and b. Identify and project trends in eligibility among children in custody and describe their budget plan for managing the resulting budgetary impacts. The motion passed with a vote of 12-0-4.

Yeas-12

Rep. R. Chavez-Houck  
Sen. A. Christensen  
Rep. T. Hawkes  
Sen. D. Hemmert  
Rep. S. Hollins  
Rep. M. Kennedy  
Rep. P. Ray  
Rep. E. Redd  
Rep. N. Thurston  
Sen. K. Van Tassell  
Rep. R. Ward  
Sen. T. Weiler

Nays-0

Absent-4

Rep. R. Edwards  
Sen. L. Escamilla  
Sen. W. Niederhauser  
Sen. B. Shiozawa

Mr. Frandsen presented a motion for DOH which has the intent of being more specific on how the ongoing appropriation of \$250,000 can be used.

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Dr. Joe Miner, Executive Director, DOH, along with Ms. Heather Borski, Division Director, Division of Disease Control and Prevention, DOH, noted they are not opposed to the pilot project but the motion inhibits flexibility to use the fund where it is needed most.

Ms. Borski clarified a question from Rep. Thurston related to the motion.

Ms. Alysha Gardner, Staff Economist, LFA, presented the motions for the Department of Workforce Services.

Rep. Chavez-Houck suggested modification to the 2nd motion for the Supplemental Nutritional Assistance Program(SNAP).

Ms. Kathy Bounous, Director, Division of Legal Services, Department of Workforce Services, and Mr. Dale Ownby, Director, Division of Eligibility Specialists, SNAP, Department of Workforce Services, responded to questions raised by Rep. Kennedy.

**MOTION:** Rep. Ray moved to: 1. Request that Workforce Services and Utah State University (USU) prepare and present an annual report to the Subcommittee on the execution of the Nutrition Education Contract. The report shall include an accounting of the funding provided, number or individuals served, when and where the training is provided, and the composition of the training. 2. Request that Workforce Services prepare and present an annual report to the Subcommittee providing details on the number of SNAP recipients in the State on a county by county basis. The county by county detail should also include the total dollar amount number and the number or recipient individuals and families. The motion failed with a vote of 2-7-7.

### Yeas-2

Sen. A. Christensen

Sen. T. Weiler

### Nays-7

Rep. R. Chavez-Houck

Rep. T. Hawkes

Sen. D. Hemmert

Rep. M. Kennedy

Rep. E. Redd

Sen. K. Van Tassell

Rep. R. Ward

### Absent-7

Rep. R. Edwards

Sen. L. Escamilla

Rep. S. Hollins

Sen. W. Niederhauser

Rep. P. Ray

Sen. B. Shiozawa

Rep. N. Thurston

Ms. Gardner presented the motion for the Budget Deep-Dive into the Temporary Assistance for Needy Families (TANF) Budget which is to: 1. Request that the Department of Workforce Services determine a target amount for the TANF Reserve that could reasonably cover DWS program operations in case of an economic recession and present these findings to the Subcommittee during the 2018 General Session.

Rep. Ward asked for clarification on the motion.

**MOTION:** Sen. Van Tassell moved to accept the motion requested by DWS.

Rep. Redd commented on the need for input from LFA and suggested an amendment to the motion.

Sen. Van Tassell withdrew his motion.

#### **10. Audit of Funding Sources for Homeless Services**

Mr. Brian Dean, Audit Manager, introduced Mr. Ben Buys, Audit Supervisor, who discussed the report titled "A Limited Review of Funding and Expenditures for Homeless Initiatives."

Chair Christensen commented on the increase in spending for homeless issues.

Rep. Ray asked a question regarding policing of the Rio Grande area.

#### **11. Budget Deep Dive into Spending on Homeless Services**

11-Issue Brief - 2017 Interim - Budget Deep-Dive into Homeless Services

Ms. Gardner discussed the Issue Brief.

#### **12. Administrative Rule Change to the Family Employment Program (FEP)**

This agenda item was not discussed.

#### **13. Other Business**

Mr. Frandsen notified committee members of pertinent announcements.

**MOTION:** Rep. Thurston moved to adjourn. Chair Christensen adjourned the meeting at 11:00.